

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

Image

1638

@PFDesktop: ODMA/MILODMA/HBSR05; iManage; 444907; 1  
AJC:jcc  
January 8, 2004

PATENT APPLICATION  
DOCKET NO.: 0399.2004-002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roberto A. Gaxiola, Gerald R. Fink and Seth L. Alper

Application No.: 09/834,998 Group Art Unit: 1638

Filed: April 13, 2001 Examiner: Collins, Cynthia E.

Confirmation No.: 4319

Title: Proton Transporters and Uses in Plants

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
January 19, 2004	<i>Jenine Crump</i>
Date	Signature
Jenine Crump	
Typed or printed name of person signing certificate	

**REVOCATION OF POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEYS AND/OR AGENTS  
AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Whitehead Institute for Biomedical Research (WIBR)**, a Corporation duly organized under the laws of the State of Delaware, is an assignee, together with **Beth Israel Deaconess Medical Center, Inc. (BIDMC)**, a Corporation duly organized under the laws of the Commonwealth of Massachusetts, of the entire right, title and interest in the above-identified application. **Whitehead Institute for Biomedical Research (WIBR)** hereby appoints the following attorneys and/or agents:

David G. Contino	(Reg. No. 27,026)	Christine C. O'Day	(Reg. No. 38,256)	Peter J. Manso	(Reg. No. 32,264)
George W. Nemmer	(Reg. No. 26,964)	Lisa Swiszczy Hazzard	(Reg. No. 44,368)	Dianne M. Rees	(Reg. No. 45,281)
Linda M. Buckley	(Reg. No. 31,003)	David A. Tucker	(Reg. No. 27,840)	John J. Penny, Jr.	(Reg. No. 36,984)
Peter F. Corless	(Reg. No. 33,860)	George W. Harinell, III	(Reg. No. 42,619)	Howard M. Gitten	(Reg. No. 32,138)
Peter J. Manus	(Reg. No. 26,766)	John B. Alexander	(Reg. No. 48,399)	J. Mark Konieczny	(Reg. No. 47,715)
William J. Daley, Jr.	(Reg. No. 35,487)	Jennifer K. Rosenfield	(Reg. No. 53,531)	Gregory B. Butler	(Reg. No. 34,558)
Robert L. Duchanan	(Reg. No. 40,927)	Kathryn A. Piffat	(Reg. No. 34,901)	Barry Krammer	(Reg. No. 20,622)
Steven J. Jensen	(Reg. No. 42,693)	Richard J. Rona	(Reg. No. 45,053)	Scott D. Wolfy	(Reg. No. 35,413)
George N. Chaclos	(Reg. No. 46,608)	Richard H. Newman	(Reg. No. 41,222)	Daniel F. Coughlin	(Reg. No. 36,111)
David J. Silvia	(Reg. No. 49,036)	Barbara S. Kitchell	(Reg. No. 33,928)	Jeffrey D. Hsi	(Reg. No. 40,024)

All of: **EDWARDS & ANGELL, LLP**  
**PO BOX 9169**  
**BOSTON, MASSACHUSETTS 02209**  
**UNITED STATES OF AMERICA**

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

A Statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to **Edwards & Angell, LLP, Three Stamford Plaza, 301 Tresser Boulevard, Stamford, Connecticut 06901**. Please direct all telephone calls to Dr. Barbara Kitchell at 203-353-6848, and all facsimile communications to 888-325-9511.

A separate Revocation of Powers of Attorney and Appointment of New Attorneys and/or Agents and Statement under 37 C.F.R. §3.73(b) is submitted under separate cover on behalf of **Beth Israel Deaconess Medical Center, Inc. (BIDMC)**.

Respectfully submitted,

By

  
**Thomas Nelson, Director**  
**Intellectual Property Office**  
**Whitehead Institute**

Title

Date

9/12/04



Docket No. 0399.2004-002

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Inventor(s): Roberto A. Gaxiola, Gerald R. Fink and Seth L. Alper  
Application No./Patent No.: 09/834,998 Filed/Issue Date: April 13, 2001  
For: Proton Transporters and Uses in Plants

Whitehead Institute for Biomedical Research, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or  
B. ☒ an assignee together with Beth Israel Deaconess Medical Center, Inc. of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment, from Gerald R. Fink, one of the inventor(s), to Whitehead Institute for Biomedical Research, of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012408, Frame 0429-0431, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 9/12/04

Name: Thomas Itelson, Director

Title: Intellectual Property Office

Signature: [Signature]

(\P\Decktop\ ODMA\MS\ODMA\USRO5\MS\ugc.444910.1

JAN-08-2004 THU 06:08 PM

FAX NO.

P. 02

\\PFDesktop\ODMA\MHODMA\HBSR05\iMessage\444935;1  
JC:jcc  
January 8, 2004

PATENT APPLICATION  
DOCKET NO.: 0399.2004-002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roberto A. Gaxiola, Gerald R. Fink and Seth L. Alper

Application No.: 09/834,998

Group Art Unit: 1638

Filed: April 13, 2001

Examiner: Collins, Cynthia E.

Confirmation No.: 4319

Title: Proton Transporters and Uses in Plants

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
January 19, 2004 Date	Jenine Crump Signature
Jenine Crump Typed or printed name of person signing certificate	

REVOCATION OF POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEYS AND/OR AGENTS  
AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Beth Israel Deaconess Medical Center, Inc. (BIDMC), a Corporation duly organized under the laws of the Commonwealth of Massachusetts, is an assignee, together with Whitehead Institute for Biomedical Research (WIBR), a Corporation duly organized under the laws of the State of Delaware, of the entire right, title and interest in the above-identified application. Beth Israel Deaconess Medical Center, Inc. (BIDMC) hereby appoints the following attorneys and/or agents:

09/834,998

-2-

David G. Conlin	(Reg. No. 27,026)	Christine C. O'Day	(Reg. No. 38,256)	Peter J. Manso	(Reg. No. 32,264)
George W. Neuner	(Reg. No. 26,964)	Lisa Swisgar Hazzard	(Reg. No. 44,368)	Dianne M. Rees	(Reg. No. 45,281)
Linda M. Buckley	(Reg. No. 31,003)	David A. Tucker	(Reg. No. 27,840)	John J. Punny, Jr.	(Reg. No. 36,984)
Peter F. Corless	(Reg. No. 33,860)	George W. Martuelli, III	(Reg. No. 42,639)	Howard M. Gitten	(Reg. No. 32,138)
Peter J. Manus	(Reg. No. 26,766)	John D. Alexander	(Reg. No. 48,390)	J. Mark Konieczny	(Reg. No. 47,715)
William J. Daley, Jr.	(Reg. No. 35,487)	Jennifer K. Rosenfield	(Reg. No. 53,531)	Gregory R. Butler	(Reg. No. 34,558)
Robert L. Buchanan	(Reg. No. 40,927)	Kathryn A. Piffet	(Reg. No. 34,901)	Barry Kramer	(Reg. No. 20,622)
Steven J. Jensen	(Reg. No. 42,693)	Richard J. Roos	(Reg. No. 45,053)	Scott D. Wofsy	(Reg. No. 35,413)
George N. Chaelas	(Reg. No. 46,608)	Richard H. Newman	(Reg. No. 41,222)	Daniel F. Coughlin	(Reg. No. 36,111)
David J. Silvia	(Reg. No. 49,036)	Barbara S. Kitchell	(Reg. No. 33,928)	Jeffrey D. Hsi	(Reg. No. 40,024)

All of: **EDWARDS & ANGELL, LLP**  
**PO BOX 9169**  
**BOSTON, MASSACHUSETTS 02209**  
**UNITED STATES OF AMERICA**

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

A Statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to **Edwards & Angell, LLP, Three Stamford Plaza, 301 Tresser Boulevard, Stamford, Connecticut 06901**. Please direct all telephone calls to Dr. Barbara Kitchell at 203-353-6848, and all facsimile communications to 888-325-9511.

A separate Revocation of Powers of Attorney and Appointment of New Attorneys and/or Agents and Statement under 37 C.F.R. §3.73(b) is submitted under separate cover on behalf of **Whithead Institute for Biomedical Research (WIBR)**.

Respectfully submitted,

By 

Title Director, Technology Ventures Office

Date 1/15/04

JAN-08-2004 THU 06:08 PM

FAX NO.

P. 04

Docket No. 0399 2004-002STATEMENT UNDER 37 C.F.R. § 3.73(b)Inventor(s): Roberto A. Gaxiola, Gerald R. Fink and Seth L. AlperApplication No./Patent No.: 09/834,998 Filed/Issue Date: April 13, 2001For: Proton Transporters and Uses in Plants

Beth Israel Deaconess Medical Center, Inc., a corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☒ an assignee together with Whitehead Institute for Biomedical Research of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment, from Seth L. Alper, one of the inventor(s), to Beth Israel Deaconess Medical Center, Inc., of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012408, Frame 0367-0369, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 1/15/04Name: Mark ChalekTitle: Director, Technology Ventures OfficeSignature: 